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September 4, 2008

By Fax

Honorable Laura Taylor Swain
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York

MEMO ENDORSED

Re: *Ognibene v. Parkes*
08 CV 1335 (LTS) (THK)

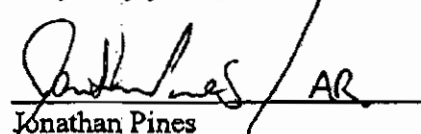
Dear Judge Swain:

In their letter to Your Honor yesterday, plaintiffs correctly note that defendants' Reply Memorandum exceeded by one page the Court's 10-page page limit for reply memoranda. I apologize to the Court for exceeding the page limit, and for my failure to seek the Court's leave to do so appropriately in advance of filing the document, or, failing that, simultaneously with filing. The error on my part was one of momentary inattention rather than of intended disregard or disrespect of the Court's Individual Practices.

Rather than striking the memorandum, I respectfully request, on behalf of the defendants, that the Court grant, retroactively, defendants' request for leave to exceed the page limit by one page, with my apologies for the request's late arrival.

Thank you for your consideration of this request.


Very truly yours,


Jonathan Pines
Assistant Corporation

Request granted, nunc pro tunc.

SO ORDERED.

NEW YORK, NY


LAURA TAYLOR SWAIN

Sept 4, 2008 UNITED STATES DISTRICT JUDGE